

AMENDED IN SENATE SEPTEMBER 5, 1997

AMENDED IN SENATE SEPTEMBER 3, 1997

AMENDED IN SENATE JULY 25, 1997

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AMENDED IN SENATE JULY 7, 1997

AMENDED IN ASSEMBLY MAY 1, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1561

Introduced by Committee on Transportation (Assembly Members Murray (Chair), Baugh (Vice Chair), Baca, Bowler, Cardenas, Figueroa, Havice, Mazzoni, Napolitano, Perata, Runner, Scott, and Torlakson)

March 13, 1997

An act to amend Sections 25161, 25167.4, and 25323.6 of, and to add Section 25168.1 to, the Health and Safety Code, to amend Section 1463.22 of the Penal Code, to amend Sections 20281 and 20291 of the Public Contract Code, to amend ~~Sections 30634 and~~ Section 99155.1 of the Public Utilities Code, to add Section 391.1 to the Streets and Highways Code, and to amend Sections 2256, 4456, 5066, 5204, 11520, 16028, 22507.8, 22651.5, 22655, 24953, 25251, 25258, 25259, 26101, 27000, 34001, 34060, 34622, and 40000.16 of, to add Sections 2420, 21718, and 34500.5 to, and to repeal Section 22520 of, the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1561, as amended, Committee on Transportation. Transportation.

(1) Existing law requires the Department of Toxic Substances Control to adopt and enforce those regulations that are necessary and appropriate to achieve consistency with the findings made by the Federal Highway Administration and the federal Department of Transportation pursuant to specified provisions of federal law regarding a uniform program for hazardous waste transportation.

This bill would make technical, clarifying changes to existing law.

(2) Existing law requires that for each alleged violation of a specified provision prohibiting driving without proof of financial responsibility a specified amount of each fine be deposited by the county treasurer in a special account and allocated to defray costs of municipal and justice courts incurred in administering specified provisions relating to driving without proof of financial responsibility. The money is required to be deposited as specified regardless of whether the charge is dismissed pursuant to a specified provision.

This bill would, instead, require that the specified amount be deposited as specified above only for each conviction of a violation of the specified provision.

(3) Existing law requires the Santa Barbara Metropolitan Transit District and the Santa Cruz Metropolitan Transit District to purchase all supplies, equipment, and materials by contract let to the lowest responsible bidder when the expenditure required exceeds \$10,000.

This bill would, instead, require those districts to purchase those items by contract let to the lowest responsible bidder when the expenditure required exceeds \$25,000.

~~(4) Under existing law, the Los Angeles County Metropolitan Transportation Authority is the successor agency to the Southern California Rapid Transit District and the Los Angeles County Transportation Commission and vests the authority with the powers of those former agencies. The authority is authorized to enter into prescribed joint development agreements, defined to include agreements to~~

~~plan, finance, or construct development projects adjacent, or physically or functionally related, to facilities of the authority.~~

~~This bill would define joint development agreements to include agreements relating to projects within a transit village development district, as specified.~~

~~(5)~~ Existing law requires that there be close coordination between local transit providers and county welfare departments in order to ensure that transportation moneys available for purposes of assisting recipients of aid under specified provisions of law are expended efficiently for the benefit of that population.

This bill would require local transit providers to consider giving priority in the use of those funds to the enhancement of public transportation services for welfare-to-work purposes, as specified.

~~(6)~~

(5) Existing law authorizes the California Transportation Commission to relinquish to a city or county any portion of a state highway within the city or county that the Legislature has deleted from the state highway system.

This bill would authorize the commission, upon terms and conditions approved by it, to relinquish a portion of State Highway Route 91 to the City of Torrance in which the highway is located and which has agreed to accept it. The relinquishment would take effect on the day immediately following the commission's approval of the terms and conditions.

~~(7)~~

(6) Existing law requires the minimum age for appointment to the position of state traffic officer of the California Highway Patrol to be 18 years.

This bill would require the minimum age for that appointment to be 21 years and would make a technical, clarifying change in existing law.

~~(8)~~

(7) Existing federal regulations require farm labor contractors, agricultural employers, or agricultural associations that use any vehicle to transport a migrant or seasonal agricultural worker to ensure that the vehicle conforms to specified federal vehicle safety standards. Prima



facie evidence that safety standards have been met may be shown by the presence of a current state vehicle inspection sticker.

This bill would authorize the Department of the California Highway Patrol to enter into a contract to conduct an inspection of vehicles that are subject to the federal regulations specified above and issue the specified vehicle inspection sticker to qualified vehicles. The bill would require the contract to provide that the amount to be paid to the department shall be equal to the costs incurred by the department for services provided under the contract.

~~(9)–~~

(8) Existing law requires motor vehicle dealers to use numbered report-of-sale forms issued by the Department of Motor Vehicles when selling a vehicle. A vehicle displaying a copy of the specified form may be operated without license plates or registration card until the license plates and registration card are received by the purchaser of the vehicle.

This bill would authorize the vehicle to operate with the specified form until the license plates and registration card are received by the purchaser of the vehicle or until a 6-month period, commencing with the date of sale of the vehicle, has expired, whichever occurs first.

~~(10)–~~

(9) Existing law provides that, if, after one calendar year following the receipt of the first application for the special interest license plate under the Gene Chappie Heritage Network Act of 1992, 5,000 applications for those plates have not been received, the Department of Parks and Recreation shall refund to all applicants any fees or deposits that have been collected.

This bill would delete this provision of existing law.

~~(11)–~~

(10) Existing law requires tabs to indicate the year and month of the expiration of the registration of a vehicle and that the tabs be attached to the license plate assigned to the vehicle, as specified.

This bill would specify that the tabs shall indicate the current month and year and that a violation of this provision



occurs where a vehicle fails to display current month and year tabs or displays expired tabs.

~~(12)~~

(11) Existing law imposes specified requirements on a licensed automobile dismantler who acquires a vehicle subject to registration under the Vehicle Code for the purpose of dismantling that vehicle.

This bill would make certain of those requirements inapplicable if the person from whom the vehicle was acquired has notified and cleared the vehicle for dismantling with the Department of Motor Vehicles and a bill of sale has been executed to the dismantler that properly identifies the vehicle and contains evidence of clearance by the department.

~~(13)~~

(12) Existing law requires the driver of any motor vehicle that is in any manner involved in a traffic accident, as specified, to furnish written evidence of financial responsibility for the vehicle upon the request of a peace officer summoned to the accident scene.

This bill would authorize a traffic collision investigator, as specified, to cause a notice to appear to be issued for a violation of the provision specified above, upon review of that citation by a peace officer.

~~(14)~~

(13) Existing law prohibits any person from stopping, parking, or leaving standing any vehicle upon a freeway that has full control of access and no crossings at grade, except as specified.

This bill would make a conviction of a violation of the provision specified above a conviction involving the safe operation of a motor vehicle upon the highway if a notice to appear for the violation was issued by a specified peace officer.

~~(15)~~

(14) Existing law makes it unlawful for any person to park or leave standing any vehicle, including a vehicle displaying a special identification license plate or a distinguishing placard issued to disabled persons and disabled veterans for purposes of special parking privileges, in any area of the pavement within a parking lot or parking facility that is

marked by crosshatched lines and is thereby designated for the loading and unloading of vehicles pursuant to any local ordinance, among other places.

This bill would, instead, specify that it is unlawful to park in any area of the pavement adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines and is thereby designated, pursuant to any local ordinance, for the loading and unloading of vehicles parked in the stall or space. ~~The bill would thereby impose a state-mandated local program by creating a new crime.~~

~~(16)–~~

(15) Existing law authorizes any peace officer, as defined, upon the complaint of any person, to remove a vehicle parked within a prescribed distance of an occupied building of a school, community college, or university or within a residence or business district from a highway or from public or private property if an alarm device has been activated within the vehicle, the peace officer is unable to locate the owner of the vehicle within 45 minutes from the time of arrival at the vehicle's location, and the alarm device has not been silenced prior to removal.

This bill would include any regularly employed and salaried employee who is engaged in directing traffic or enforcing parking laws or ordinances within the scope of persons who can cause the removal. The bill would also make certain clarifying changes and would reduce the 45-minute period described above to a 20-minute period.

~~(17)–~~

(16) Existing law authorizes a peace officer to remove a motor vehicle for purpose of inspection if the officer has reasonable cause to believe that the motor vehicle, under specified circumstances, has been involved in a hit-and-run accident, and the operator of the vehicle has failed to stop and comply with certain statutes.

This bill would also authorize a regularly employed and salaried employee who is engaged in directing traffic or enforcing parking statutes and regulations to remove a vehicle under those specified circumstances.

~~(18)–~~



(17) Existing law authorizes any vehicle to be equipped with supplemental rear turn signal lamps that are mounted on, or are an integral portion of, the outside rearview mirrors, in addition to any required or authorized turn signal lamps, if those lamps meet certain requirements, including that the light emitted from the lamps is projected only to the rear of the vehicle and is not visible to the driver under normal operating conditions.

This bill would exempt from the requirement specified above a visual indicator designed to allow monitoring of lamp operation.

~~(19)–~~

(18) Existing law permits the use of flashing lights on vehicles under certain circumstances.

This bill would authorize the use of flashing lights on vehicles that are approaching, stopped at, or departing from, a railroad grade crossing, as prescribed.

~~(20)–~~

(19) Existing law authorizes emergency vehicles used by specified peace officers in the performance of their duties to display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle.

This bill would authorize an emergency vehicle used by a housing authority patrol officer, as specified, to display the steady or flashing blue warning light specified above, and correct a cross-reference in those provisions.

~~(21)–~~

(20) Existing law authorizes specified emergency vehicles to display not more than 2 flashing white warning lights to the front mounted above the roofline of the vehicle.

This bill would, additionally, authorize those vehicles to display not more than 2 flashing white warning lights to the front mounted below the roofline of the vehicle. The bill would authorize the flashing warning lights to be in addition to flashing headlamps permitted under a specified provision of law.

~~(22)–~~

(21) Existing law prohibits the use upon a vehicle of any device that is intended to modify the original design or performance of any lighting equipment, safety glazing

material, or other device, unless the modifying device meets certain requirements, except as specified.

This bill would exempt from that prohibition lamps installed on authorized emergency vehicles.

~~(23)–~~

(22) Existing law requires every motor vehicle operated on the highway to be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet but that does not emit an unreasonably loud or harsh sound. Existing law authorizes an authorized emergency vehicle that is used in fire calls to be equipped with an air horn that does not comply with the specified requirement.

This bill would, instead, authorize all authorized emergency vehicles, as defined, to be equipped with air horns that do not meet the requirement specified above.

~~(24)–~~

(23) Existing law defines the term “commercial motor vehicle” for purposes of specified provisions relating to a commercial motor vehicle safety program.

This bill would apply that term to specified provisions relating to motor vehicle safety regulations.

~~(25)–~~

(24) Existing law excludes household goods carriers, as defined, from the Motor Carriers of Property Permit Act.

This bill would exclude the transportation of office, store, or institution furniture and fixtures by a household goods carrier from specified provisions of the act relating to motor carrier permits.

~~(26)–~~

(25) Existing law makes a violation of a specified provision relating to preventing the escape of materials from vehicles a misdemeanor.

This bill would, instead, make a second or subsequent violation of the specified provision a misdemeanor, if the violation occurs within 2 years of a prior violation of that provision. A first violation, in combination with another provision of existing law, would be an infraction.

~~(27) The California Constitution requires the state to reimburse local agencies and school districts for certain costs~~

~~mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~(28)–~~

(26) This bill would incorporate additional changes in Section 16028 of the Vehicle Code proposed by AB 651, to be operative only if AB 651 and this bill are both enacted and become effective on or before January 1, 1998, and this bill is enacted last.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25161 of the Health and Safety
2 Code is amended to read:

3 25161. (a) The department may adopt and enforce
4 those regulations, regarding a uniform program for
5 hazardous waste transportation, that are necessary and
6 appropriate to achieve consistency with the findings
7 made by the Federal Highway Administration and the
8 federal Department of Transportation pursuant to
9 Chapter 51 (commencing with Section 5101) of Title 49
10 of the United States Code.

11 (b) The department shall adopt and enforce all rules
12 and regulations that are necessary and appropriate to
13 accomplish the purposes of Section 25160.

14 (c) The department shall develop a data base that
15 tracks all hazardous waste shipped in and out of state for
16 handling, treatment, storage, disposal, or any
17 combination thereof, which includes all of the following
18 information:

19 (1) The state or country receiving the waste.

20 (2) Month and year of shipment.

21 (3) Type of hazardous waste shipped.

22 (4) The manner in which the hazardous waste was
23 handled at its final destination, such as incineration,
24 treatment, recycling, land disposal, or a combination
25 thereof.

1 (d) The department shall include in the biennial
2 report specified in Section 25178 all of the following
3 information:

4 (1) The total volume in tons of hazardous waste
5 generated in the state and shipped offsite for handling,
6 treatment, storage, disposal, or any combination thereof.

7 (2) The total volume in tons of hazardous waste
8 generated in the state and shipped in and out of the state
9 for handling, treatment, storage, disposal, or any
10 combination thereof, including all of the following
11 information:

12 (A) The state or country receiving the hazardous
13 waste.

14 (B) Month and year of shipment.

15 (C) Type of hazardous waste shipped.

16 (D) The manner in which the hazardous waste was
17 handled at its final destination, such as incineration,
18 treatment, recycling, land disposal, or a combination
19 thereof.

20 SEC. 2. Section 25167.4 of the Health and Safety Code
21 is amended to read:

22 25167.4. For purposes of this article, the following
23 terms have the following meaning:

24 (a) "Vehicle" means a truck, trailer, semitrailer, or
25 cargo tank. "Vehicle" does not include a truck tractor
26 unless it is capable of containing a portion of the cargo.

27 (b) "Container" means a portable tank, intermediate
28 bulk container, or rolloff bin.

29 SEC. 3. Section 25168.1 is added to the Health and
30 Safety Code, to read:

31 25168.1. The department shall adopt regulations for
32 containers used to transport hazardous waste that are not
33 subject to the federal regulations contained in Title 49 of
34 the Code of Federal Regulations.

35 SEC. 4. Section 25323.6 of the Health and Safety Code
36 is amended to read:

37 25323.6. Any person who unknowingly transports
38 hazardous waste to a solid waste facility pursuant to the
39 exemption provided in subdivision (e) of Section 25163
40 shall not be considered a responsible party for purposes

1 of this chapter solely because of the act of transporting the
2 waste. Nothing in this section shall affect the liability of
3 this person for his or her negligent acts.

4 SEC. 5. Section 1463.22 of the Penal Code is amended
5 to read:

6 1463.22. (a) Notwithstanding Section 1463, of the
7 moneys deposited with the county treasurer pursuant to
8 Section 1463, seventeen dollars and fifty cents (\$17.50) for
9 each conviction of a violation of Section 16028 of the
10 Vehicle Code shall be deposited by the county treasurer
11 in a special account and allocated to defray costs of
12 municipal and justice courts incurred in administering
13 Sections 16028, 16030, and 16031 of the Vehicle Code. Any
14 moneys in the special account in excess of the amount
15 required to defray those costs shall be redeposited and
16 distributed by the county treasurer pursuant to Section
17 1463.

18 (b) Notwithstanding Section 1463, of the moneys
19 deposited with the county treasurer pursuant to Section
20 1463, three dollars (\$3) for each conviction for a violation
21 of Section 16028 of the Vehicle Code shall be initially
22 deposited by the county treasurer in a special account,
23 and shall be transmitted once per month to the Controller
24 for deposit in the Motor Vehicle Account in the State
25 Transportation Fund. These moneys shall be available,
26 when appropriated, to defray the administrative costs
27 incurred by the Department of Motor Vehicles pursuant
28 to Sections 16031, 16032, 16034, and 16035 of the Vehicle
29 Code. It is the intent of this subdivision to provide
30 sufficient revenues to pay for all of the department's costs
31 in administering those sections of the Vehicle Code.

32 (c) Notwithstanding Section 1463, of the moneys
33 deposited with the county treasurer pursuant to Section
34 1463, ten dollars (\$10) upon the conviction of, or upon the
35 forfeiture of bail from, any person arrested or notified for
36 a violation of Section 16028 of the Vehicle Code shall be
37 deposited by the county treasurer in a special account and
38 shall be transmitted monthly to the Controller for deposit
39 in the General Fund.

40 ~~SEC. 5.3.~~

1 *SEC. 6.* Section 20281 of the Public Contract Code is
2 amended to read:

3 20281. The purchase of all supplies, equipment and
4 materials, when the expenditure required exceeds
5 twenty-five thousand dollars (\$25,000), and the
6 construction of facilities and works, when the
7 expenditure exceeds three thousand dollars (\$3,000),
8 shall be by contract let to the lowest responsible bidder.
9 Notice requesting bids shall be published at least once in
10 a newspaper of general circulation, which publication
11 shall be made at least 10 days before bids are received.
12 The board may reject any and all bids and readvertise in
13 its discretion.

14 ~~SEC. 5.5.~~

15 *SEC. 7.* Section 20291 of the Public Contract Code is
16 amended to read:

17 20291. The purchase of all supplies, equipment and
18 materials, when the expenditure required exceeds
19 twenty-five thousand dollars (\$25,000), and construction
20 of facilities and works, when the expenditure required
21 exceeds ten thousand dollars (\$10,000), shall be by
22 contract let to the lowest responsible bidder. Notice
23 requesting bids shall be published at least once in a
24 newspaper of general circulation, which publication shall
25 be made at least 10 days before bids are received. The
26 board may reject any and all bids and readvertise in its
27 discretion.

28 ~~SEC. 5.7. Section 30634 of the Public Utilities Code is~~
29 ~~amended to read:~~

30 ~~30634. (a) The district may enter into agreements for~~
31 ~~the joint use or joint development of any property or~~
32 ~~rights by the district and any city, public agency, or public~~
33 ~~utility operating transit facilities or nontransit facilities, or~~
34 ~~both, or any other person, firm, corporation, association,~~
35 ~~organization, or other entity, public or private, either, in~~
36 ~~whole or in part, within or outside the district, for the joint~~
37 ~~use or development of any property of the district or of~~
38 ~~the city, public agency, public utility, person, firm,~~
39 ~~corporation, association, organization, or other entity,~~
40 ~~public or private, or the establishment of through routes,~~

1 joint fares, station cost-sharing, connector fees, or land,
2 air, or development rights sales or leasing, transfer of
3 passengers, pooling arrangements, or for any other
4 purpose necessary for, incidental to, or convenient for the
5 full exercise of the powers granted in this part. As to any
6 service which the district is authorized to perform
7 pursuant to this part, the district may contract for the
8 performance of the service by any city, county, or public
9 utility operating transit facilities, the territory of which is,
10 in whole or in part, within the district.

11 (b) (1) “Joint development” includes, but is not
12 limited to, agreements with any person, firm,
13 corporation, association, organization, or other entity,
14 public or private, to develop or to engage in the planning,
15 financing, or construction of district facilities or
16 development projects adjacent, or physically or
17 functionally related, to district facilities.

18 (2) For the purposes of paragraph (1), “development
19 projects adjacent, or physically or functionally related, to
20 district facilities” includes a development project within
21 a transit village development district as described in
22 Section 65460.4 of the Government Code.

23 (c) Notwithstanding any other provision of this part,
24 no joint development of nontransit facilities may be
25 accomplished without the prior approval of the
26 legislative body of the local jurisdiction within which the
27 development is to take place.

28 (d) “Transit facilities,” as used in this section, includes
29 land, buildings, and equipment, or any interest therein,
30 whether or not the operation thereof produces revenue,
31 which have as their primary purpose the operation of a
32 rail transit system or the providing of services to the
33 passengers of a rail transit system.

34 (e) “Nontransit facilities,” as used in this section,
35 includes any land, buildings, or equipment, or interest
36 therein, which is used primarily for the production of
37 transit revenue not arising from the operation of a rail
38 transit system.

39 SEC. 5.8.

1 *SEC. 8.* Section 99155.1 of the Public Utilities Code is
2 amended to read:

3 99155.1. (a) There shall be close coordination
4 between local transit providers and county welfare
5 departments in order to ensure that transportation
6 moneys available for purposes of assisting recipients of aid
7 under Chapter 2 (commencing with Section 11200) of
8 Part 3 of Division 9 of the Welfare and Institutions Code
9 are expended efficiently for the benefit of that
10 population.

11 (1) In areas where public transit service is available,
12 local transit providers shall consider giving priority in the
13 use of those funds to the enhancement of public
14 transportation services for welfare-to-work purposes.

15 (2) In areas where public transit services are
16 unavailable, local transit providers shall consider giving
17 priority in the use of those funds to the enhancement of
18 transportation alternatives, such as, but not limited to,
19 subsidies or vouchers, van pools, and contract paratransit
20 operations, in order to promote welfare-to-work
21 purposes.

22 (b) In areas where public transit service is available,
23 local transit providers shall consider giving priority in the
24 use of transit funds to the enhancement of public
25 transportation services for welfare-to-work purposes.

26 ~~*SEC. 6.*~~

27 *SEC. 9.* Section 391.1 is added to the Streets and
28 Highways Code, to read:

29 391.1. Upon a determination by the commission that
30 it is in the best interests of the state to do so, the
31 commission may, upon terms and conditions approved by
32 it, relinquish a portion of Route 91 to the City of Torrance
33 in which that portion of the highway is located, if the city
34 has agreed to accept it. The relinquishment shall be
35 effective on the day immediately following the
36 commission's approval of the terms and conditions.

37 ~~*SEC. 7.*~~

38 *SEC. 10.* Section 2256 of the Vehicle Code is amended
39 to read:



1 2256. Notwithstanding Section 18932 of the
2 Government Code, the minimum age limit for
3 appointment to the position of officer California Highway
4 Patrol, shall be 21 years, and the maximum age limit for
5 examination shall be 31 years.

6 ~~SEC. 8.~~

7 *SEC. 11.* Section 2420 is added to the Vehicle Code, to
8 read:

9 2420. (a) The department may enter into a contract
10 to conduct an inspection of vehicles that are subject to
11 Section 500.100 of Title 29 of the Code of Federal
12 Regulations and issue the vehicle inspection sticker
13 authorized under subdivision (b) of that section to
14 qualified vehicles.

15 (b) Any contract entered into under subdivision (a)
16 shall provide that the amount to be paid to the
17 department shall be equal to the costs incurred by the
18 department for services provided under the contract.

19 ~~SEC. 9.~~

20 *SEC. 12.* Section 4456 of the Vehicle Code is amended
21 to read:

22 4456. (a) When selling a vehicle, dealers and
23 lessor-retailers shall use numbered report-of-sale forms
24 issued by the department. The forms shall be used in
25 accordance with the following terms and conditions:

26 (1) The dealer or lessor-retailer shall attach for display
27 a copy of the report of sale on the vehicle before the
28 vehicle is delivered to the purchaser.

29 (2) The dealer or lessor-retailer shall submit to the
30 department an application accompanied by all fees and
31 penalties due for registration or transfer of registration of
32 the vehicle within 30 days from the date of sale if the
33 vehicle is a used vehicle, and 20 days if the vehicle is a new
34 vehicle. Penalties due for noncompliance with this
35 paragraph shall be paid by the dealer or lessor-retailer.
36 The dealer or lessor-retailer shall not charge the
37 purchaser for the penalties.

38 (3) As part of an application to transfer registration of
39 a used vehicle, the dealer or lessor-retailer shall include
40 all of the following information on the certificate of title,

1 application for a duplicate certificate of title, or form
2 prescribed by the department:

3 (A) Date of sale and report of sale number.

4 (B) Purchaser's name and address.

5 (C) Dealer's name, address, number, and signature or
6 signature of authorized agent.

7 (D) Salesperson number.

8 (4) If the department returns an application and the
9 application was first received by the department within
10 30 days of the date of sale of the vehicle if the vehicle is
11 a used vehicle, and 20 days if the vehicle is a new vehicle,
12 the dealer or lessor-retailer shall submit a corrected
13 application to the department within 50 days from the
14 date of sale of the vehicle if the vehicle is a used vehicle,
15 and 40 days if the vehicle is a new vehicle, or within 30
16 days from the date that the application is first returned by
17 the department if the vehicle is a used vehicle, and 20
18 days if the vehicle is a new vehicle, whichever is later.

19 (5) If the department returns an application and the
20 application was first received by the department more
21 than 30 days from the date of sale of the vehicle if the
22 vehicle is a used vehicle, and 20 days if the vehicle is a new
23 vehicle, the dealer or lessor-retailer shall submit a
24 corrected application to the department within 50 days
25 from the date of sale of the vehicle if the vehicle is a used
26 vehicle, and 40 days if the vehicle is a new vehicle.

27 (6) An application first received by the department
28 more than 50 days from the date of sale of the vehicle if
29 the vehicle is a used vehicle, and 40 days if the vehicle is
30 a new vehicle, is subject to the penalties specified in
31 subdivisions (a) and (b) of Section 4456.1.

32 (7) The dealer or lessor-retailer shall report the sale
33 pursuant to Section 5901.

34 (b) (1) A transfer that takes place through a dealer
35 conducting a wholesale motor vehicle auction shall be
36 reported to the department by that dealer on a single
37 form approved by the department. The completed form
38 shall contain, at a minimum, all of the following
39 information:

40 (A) The name and address of the seller.

1 (B) The seller's dealer number, if applicable.

2 (C) The date of delivery to the dealer conducting the
3 auction.

4 (D) The actual mileage of the vehicle as indicated by
5 the vehicle's odometer at the time of delivery to the
6 dealer conducting the auction.

7 (E) The name, address, and occupational license
8 number of the dealer conducting the auction.

9 (F) The name, address, and occupational license
10 number of the buyer.

11 (G) The signature of the dealer conducting the
12 auction.

13 (2) Submission of the completed form specified in
14 paragraph (1) to the department shall fully satisfy the
15 requirements of subdivision (a) and subdivision (a) of
16 Section 5901 with respect to the dealer selling at auction
17 and the dealer conducting the auction.

18 (3) The single form required by this subdivision does
19 not relieve a dealer of any obligation or responsibility that
20 is required by any other provision of law.

21 (c) A vehicle displaying a copy of the report of sale
22 may be operated without license plates or registration
23 card until either of the following, whichever occurs first:

24 (1) The license plates and registration card are
25 received by the purchaser.

26 (2) A six-month period, commencing with the date of
27 sale of the vehicle, has expired.

28 ~~SEC. 10.~~

29 *SEC. 13.* Section 5066 of the Vehicle Code is amended
30 to read:

31 5066. (a) This section shall be known, and may be
32 cited, as the Gene Chappie Heritage Network Act of 1992.

33 (b) The Department of Parks and Recreation may
34 participate in the special interest license plate program.
35 In addition to the regular fees for an original registration,
36 a renewal of registration, or a transfer of registration, the
37 following fees shall be paid by individuals applying for the
38 issuance, renewal, or transfer of a license plate bearing a
39 design or decal conforming to Section 5060, designed by

1 the Department of Motor Vehicles in consultation with
2 the Department of Parks and Recreation:

3 (1) For the original issuance of the plates, forty dollars
4 (\$40).

5 (2) For a renewal of registration with the plates, thirty
6 dollars (\$30).

7 (3) For transfer of the plates to another vehicle, fifteen
8 dollars (\$15).

9 (4) For each substitute replacement plate, thirty-five
10 dollars (\$35).

11 (5) For each universal decal for existing plates, twenty
12 dollars (\$20).

13 (c) After deducting its administrative costs under this
14 section, the Department of Motor Vehicles shall deposit
15 the additional revenue derived from the issuance,
16 renewal, transfer, and substitution of special interest
17 license plates in the Heritage Network Decal Fund,
18 which is hereby created in the State Treasury. The money
19 in the fund shall be available, upon appropriation by the
20 Legislature, for the purposes of Chapter 1.1
21 (commencing with Section 5078) of Division 5 of the
22 Public Resources Code. Notwithstanding Sections 5078.2
23 and 5078.3 of the Public Resources Code, money in the
24 fund shall be available for appropriation during the
25 1992–93, 1993–94, and 1994–95 fiscal years solely for state
26 park system units and projects along existing and
27 provisional state heritage corridors, including activities to
28 prevent closures, and for completion of the North Central
29 California Heritage Corridors Access Map.

30 (d) Sections 5106 and 5108 do not apply to license
31 plates issued pursuant to this section.

32 ~~SEC. 11.~~

33 *SEC. 14.* Section 5204 of the Vehicle Code is amended
34 to read:

35 5204. (a) Except as provided by subdivisions (b) and
36 (c), a tab shall indicate the year of expiration and a tab
37 shall indicate the month of expiration. Current month
38 and year tabs shall be attached to the rear license plate
39 assigned to the vehicle for the last preceding registration
40 year in which license plates were issued, and, when so

1 attached, the license plate with the tabs shall, for the
2 purposes of this code, be deemed to be the license plate,
3 except that truck tractors, and commercial motor
4 vehicles having an unladen weight of 10,000 pounds or
5 more, shall display the current month and year tabs upon
6 the front license plate assigned to the truck tractor or
7 commercial motor vehicle. Vehicles that fail to display
8 current month and year tabs or display expired tabs are
9 in violation of this section.

10 (b) The requirement of subdivision (a) that the tabs
11 indicate the year and the month of expiration does not
12 apply to fleet vehicles subject to Article 9.5 (commencing
13 with Section 5300).

14 (c) Subdivision (a) does not apply when proper
15 application for registration has been made pursuant to
16 Section 4602 and the new indicia of current registration
17 have not been received from the department.

18 (d) This section is enforceable against any motor
19 vehicle that is driven, moved, or left standing upon a
20 highway, or in an offstreet public parking facility, in the
21 same manner as provided in subdivision (a) of Section
22 4000.

23 ~~SEC. 12.~~

24 *SEC. 15.* Section 11520 of the Vehicle Code is
25 amended to read:

26 11520. (a) A licensed automobile dismantler who
27 acquired, for the purpose of dismantling, actual
28 possession, as a transferee, of a vehicle of a type subject
29 to registration under this code shall do all of the following:

30 (1) Within five calendar days, not including the day of
31 acquisition, mail a notice of acquisition to the department
32 at its headquarters.

33 (2) Within five calendar days, not including the day of
34 acquisition, mail a copy of the notice of acquisition to the
35 Department of Justice at its headquarters.

36 (3) Not begin dismantling until 10 calendar days have
37 elapsed after mailing the notice of acquisition. In the
38 alternative, dismantling may begin any time after the
39 dismantler complies with paragraph (4).

1 (4) Deliver to the department, within 90 calendar days
2 of the date of acquisition, the documents evidencing
3 ownership and the license plates last issued for the
4 vehicle. Proof that a registered or certified letter of
5 demand for the documents was sent within 90 days of the
6 date of acquisition to the person from whom the vehicle
7 was acquired may be substituted for documents that
8 cannot otherwise be obtained. A certificate of license
9 plate destruction, when authorized by the director, may
10 be delivered in lieu of the license plates.

11 (5) Maintain a business record of all vehicles acquired
12 for dismantling. The record shall contain the name and
13 address of the person from whom the vehicle was
14 acquired; the date the vehicle was acquired; the license
15 plate number last assigned to the vehicle; and a brief
16 description of the vehicle, including its make, type, and
17 the vehicle identification number used for registration
18 purposes. The record required by this paragraph shall be
19 a business record of the dismantler separate and distinct
20 from the records maintained in those books and forms
21 furnished by the department.

22 (b) Paragraphs (1) and (2) of subdivision (a) do not
23 apply to vehicles acquired pursuant to Section 11515,
24 11515.2, 22851.2, or 22851.3 of this code or Section 3071,
25 3072, or 3073 of the Civil Code.

26 (c) Paragraphs (1), (2), (3), and (4) of subdivision (a)
27 do not apply to a vehicle acquired from another person
28 if the other person has already notified and cleared the
29 vehicle for dismantling with the department pursuant to
30 this code and a bill of sale has been executed to the
31 dismantler that properly identifies the vehicle and
32 contains evidence of clearance by the department,
33 including, but not limited to, a dismantling report
34 number, temporary receipt number, or other proof of
35 compliance with this section.

36 ~~SEC. 13.~~

37 *SEC. 16.* Section 16028 of the Vehicle Code is
38 amended to read:

39 16028. (a) Upon demand of a peace officer pursuant
40 to subdivision (b) or (c), every person who drives upon

1 a highway a motor vehicle required to be registered in
2 this state shall provide evidence of financial responsibility
3 for the vehicle. However, a peace officer shall not stop a
4 vehicle for the sole purpose of determining whether the
5 vehicle is being driven in violation of this subdivision.

6 (b) Whenever a notice to appear is issued for any
7 alleged violation of this code, except a violation specified
8 in Chapter 9 (commencing with Section 22500) of
9 Division 11 or any local ordinance adopted pursuant
10 thereto, the cited driver shall furnish written evidence of
11 financial responsibility upon request of the peace officer
12 issuing the citation. The peace officer shall request and
13 write the driver's evidence of financial responsibility on
14 the notice to appear, except where the peace officer is
15 unable to write the driver's evidence of financial
16 responsibility on the notice to appear due to an
17 emergency that requires his or her presence elsewhere.
18 If the cited driver fails to provide evidence of financial
19 responsibility at the time the notice to appear is issued,
20 the peace officer may issue the driver a notice to appear
21 for violation of subdivision (a). The notice to appear for
22 violation of subdivision (a) shall be written on the same
23 citation form as the original violation.

24 (c) Whenever a peace officer, or a regularly employed
25 and salaried employee of a city or county who has been
26 trained as a traffic collision investigator, is summoned to
27 the scene of an accident described in Section 16000, the
28 driver of any motor vehicle that is in any manner
29 involved in the accident shall furnish written evidence of
30 financial responsibility upon the request of the peace
31 officer or traffic collision investigator. If the driver fails to
32 provide evidence of financial responsibility when
33 requested, the peace officer may issue the driver a notice
34 to appear for violation of this subdivision. A traffic
35 collision investigator may cause a notice to appear to be
36 issued for a violation of this subdivision, upon review of
37 that citation by a peace officer.

38 (d) (1) If, at the time a notice to appear for a violation
39 of subdivision (a) is issued, the person is driving a motor
40 vehicle owned, operated, or leased by the driver's

1 employer, and the vehicle is being driven with the
2 permission of the employer, this section shall apply to the
3 employer rather than the driver. In that case, a notice to
4 appear shall be issued to the employer rather than the
5 driver, and the driver may sign the notice on behalf of the
6 employer.

7 (2) The driver shall notify the employer of the receipt
8 of the notice issued pursuant to paragraph (1) not later
9 than five days after receipt.

10 (e) A person issued a notice to appear for a violation
11 of subdivision (a) may personally appear before the clerk
12 of the court, as designated in the notice to appear, and
13 provide written evidence of financial responsibility in a
14 form consistent with Section 16020, showing that the
15 driver was in compliance with that section at the time the
16 notice to appear for violating subdivision (a) was issued.
17 In lieu of a personal appearance, the person may submit
18 written evidence of financial responsibility by mail to the
19 court. Upon receipt by the clerk of written evidence of
20 financial responsibility in a form consistent with Section
21 16020, further proceedings on the notice to appear for the
22 violation of subdivision (a) shall be dismissed.

23 (f) This section shall become operative on January 1,
24 1997.

25 (g) This section shall remain in effect only until
26 January 1, 2000, or until the date determined by the
27 director pursuant to paragraph (2) of subdivision (a) of
28 Section 1680, whichever is later, and as of that date is
29 repealed, unless a later enacted statute, which is enacted
30 on or before January 1, 2000, deletes or extends that date.

31 ~~SEC. 14.~~

32 *SEC. 16.5.* Section 16028 of the Vehicle Code is
33 amended to read:

34 16028. (a) Upon demand of a peace officer pursuant
35 to subdivision (b) or (c), every person who drives a motor
36 vehicle upon a highway shall provide evidence of
37 financial responsibility for the vehicle. However, a peace
38 officer shall not stop a vehicle for the sole purpose of
39 determining whether the vehicle is being driven in
40 violation of this subdivision.



1 (b) Whenever a notice to appear is issued for any
2 alleged violation of this code, except a violation specified
3 in Chapter 9 (commencing with Section 22500) of
4 Division 11 or any local ordinance adopted pursuant
5 thereto, the cited driver shall furnish written evidence of
6 financial responsibility upon request of the peace officer
7 issuing the citation. The peace officer shall request and
8 write the driver's evidence of financial responsibility on
9 the notice to appear, except where the peace officer is
10 unable to write the driver's evidence of financial
11 responsibility on the notice to appear due to an
12 emergency that requires his or her presence elsewhere.
13 If the cited driver fails to provide evidence of financial
14 responsibility at the time the notice to appear is issued,
15 the peace officer may issue the driver a notice to appear
16 for violation of subdivision (a). The notice to appear for
17 violation of subdivision (a) shall be written on the same
18 citation form as the original violation.

19 (c) Whenever a peace officer, or a regularly employed
20 and salaried employee of a city or county who has been
21 trained as a traffic collision investigator, is summoned to
22 the scene of an accident described in Section 16000, the
23 driver of any motor vehicle that is in any manner
24 involved in the accident shall furnish written evidence of
25 financial responsibility upon the request of the peace
26 officer or traffic collision investigator. If the driver fails to
27 provide evidence of financial responsibility when
28 requested, the peace officer may issue the driver a notice
29 to appear for violation of this subdivision. A traffic
30 collision investigator may cause a notice to appear to be
31 issued for a violation of this subdivision, upon review of
32 that citation by a peace officer.

33 (d) (1) If, at the time a notice to appear for a violation
34 of subdivision (a) is issued, the person is driving a motor
35 vehicle owned, operated, or leased by the driver's
36 employer, and the vehicle is being driven with the
37 permission of the employer, this section shall apply to the
38 employer rather than the driver. In that case, a notice to
39 appear shall be issued to the employer rather than the



1 driver, and the driver may sign the notice on behalf of the
2 employer.

3 (2) The driver shall notify the employer of the receipt
4 of the notice issued pursuant to paragraph (1) not later
5 than five days after receipt.

6 (e) A person issued a notice to appear for a violation
7 of subdivision (a) may personally appear before the clerk
8 of the court, as designated in the notice to appear, and
9 provide written evidence of financial responsibility in a
10 form consistent with Section 16020, showing that the
11 driver was in compliance with that section at the time the
12 notice to appear for violating subdivision (a) was issued.
13 In lieu of a personal appearance, the person may submit
14 written evidence of financial responsibility by mail to the
15 court. Upon receipt by the clerk of written evidence of
16 financial responsibility in a form consistent with Section
17 16020, further proceedings on the notice to appear for the
18 violation of subdivision (a) shall be dismissed.

19 (f) This section shall remain in effect only until
20 January 1, 2003, or until the date determined by the
21 director pursuant to paragraph (2) of subdivision (a) of
22 Section 1680, whichever is later, and as of that date is
23 repealed, unless a later enacted statute, which is enacted
24 on or before January 1, 2003, deletes or extends that date.

25 ~~SEC. 15.~~

26 *SEC. 17.* Section 21718 is added to the Vehicle Code,
27 to read:

28 21718. (a) No person shall stop, park, or leave
29 standing any vehicle upon a freeway which has full
30 control of access and no crossings at grade except:

31 (1) When necessary to avoid injury or damage to
32 persons or property.

33 (2) When required by law or in obedience to a peace
34 officer or official traffic control device.

35 (3) When any person is actually engaged in
36 maintenance or construction on freeway property or any
37 employee of a public agency is actually engaged in the
38 performance of official duties.

39 (4) When any vehicle is so disabled that it is impossible
40 to avoid temporarily stopping and another vehicle has

1 been summoned to render assistance to the disabled
2 vehicle or driver of the disabled vehicle. This paragraph
3 applies when the vehicle summoned to render assistance
4 is a vehicle owned by the donor of free emergency
5 assistance that has been summoned by display upon or
6 within a disabled vehicle of a placard or sign given to the
7 driver of the disabled vehicle by the donor for the specific
8 purpose of summoning assistance, other than towing
9 service, from the donor.

10 (5) Where stopping, standing, or parking is specifically
11 permitted. However, buses may not stop on freeways
12 unless sidewalks are provided with shoulders of sufficient
13 width to permit stopping without interfering with the
14 normal movement of traffic and without the possibility of
15 crossing over fast lanes to reach the bus stop.

16 (6) Where necessary for any person to report a traffic
17 accident or other situation or incident to a peace officer
18 or any person specified in paragraph (3), either directly
19 or by means of an emergency telephone or similar device.

20 (7) When necessary for the purpose of rapid removal
21 of impediments to traffic by the owner or operator of a
22 tow truck operating under an agreement with the
23 Department of the California Highway Patrol.

24 (b) A conviction of a violation of this section is a
25 conviction involving the safe operation of a motor vehicle
26 upon the highway if a notice to appear for the violation
27 was issued by a peace officer described in Section 830.1 or
28 830.2 of the Penal Code.

29 ~~SEC. 16.~~

30 *SEC. 18.* Section 22507.8 of the Vehicle Code is
31 amended to read:

32 22507.8. (a) It is unlawful for any person to park or
33 leave standing any vehicle in a stall or space designated
34 for disabled persons and disabled veterans pursuant to
35 Section 22511.7 or 22511.8, unless the vehicle displays
36 either a special identification license plate issued
37 pursuant to Section 5007 or a distinguishing placard issued
38 pursuant to Section 22511.55 or 22511.59.

1 (b) It is unlawful for any person to obstruct, block, or
2 otherwise bar access to those parking stalls or spaces
3 except as provided in subdivision (a).

4 (c) It is unlawful for any person to park or leave
5 standing any vehicle, including a vehicle displaying a
6 special identification license plate issued pursuant to
7 Section 5007 or a distinguishing placard issued pursuant
8 to Section 22511.55 or 22511.59, in either of the following
9 places:

10 (1) On the lines marking the boundaries of a parking
11 stall or space designated for disabled persons or disabled
12 veterans.

13 (2) In any area of the pavement adjacent to a parking
14 stall or space designated for disabled persons or disabled
15 veterans that is marked by crosshatched lines and is
16 thereby designated, pursuant to any local ordinance, for
17 the loading and unloading of vehicles parked in the stall
18 or space.

19 (d) Subdivisions (a), (b), and (c) apply to all offstreet
20 parking facilities owned or operated by the state, and to
21 all offstreet parking facilities owned or operated by a local
22 authority. Subdivisions (a), (b), and (c) also apply to any
23 privately owned and maintained offstreet parking
24 facility.

25 ~~SEC. 17.~~

26 *SEC. 19.* Section 22520 of the Vehicle Code is
27 repealed.

28 ~~SEC. 18.~~

29 *SEC. 20.* Section 22651.5 of the Vehicle Code is
30 amended to read:

31 22651.5. (a) Any peace officer, as defined in Chapter
32 4.5 (commencing with Section 830) of Title 3 of Part 2 of
33 the Penal Code, or any regularly employed and salaried
34 employee who is engaged in directing traffic or enforcing
35 parking laws or regulations, may, upon the complaint of
36 any person, remove a vehicle parked within 500 feet of
37 any occupied building of a school, community college, or
38 university during normal hours of operation, or a vehicle
39 parked within a residence or business district, from a
40 highway or from public or private property, if an alarm

1 device or horn has been activated within the vehicle,
2 whether continuously activated or intermittently and
3 repeatedly activated, the peace officer or designated
4 employee is unable to locate the owner of the vehicle
5 within 20 minutes from the time of arrival at the vehicle's
6 location, and the alarm device or horn has not been
7 completely silenced prior to removal.

8 (b) Upon removal of a vehicle from a highway or from
9 public or private property pursuant to this section, the
10 peace officer or designated employee ordering the
11 removal shall immediately report the removal and the
12 location to which the vehicle is removed to the Stolen
13 Vehicle System of the Department of Justice.

14 ~~SEC. 19.~~

15 *SEC. 21.* Section 22655 of the Vehicle Code is
16 amended to read:

17 22655. (a) When any peace officer, as that term is
18 defined in Chapter 4.5 (commencing with Section 830) of
19 Title 3 of Part 2 of the Penal Code or any regularly
20 employed and salaried employee who is engaged in
21 directing traffic or enforcing parking statutes and
22 regulations, has reasonable cause to believe that a motor
23 vehicle on a highway or on private property open to the
24 general public onto which the public is explicitly or
25 implicitly invited, located within the territorial limits in
26 which the officer is empowered to act, has been involved
27 in a hit-and-run accident, and the operator of the vehicle
28 has failed to stop and comply with Sections 20002 to 20006,
29 inclusive, the officer may remove the vehicle from the
30 highway or from public or private property for the
31 purpose of inspection.

32 (b) Unless sooner released, the vehicle shall be
33 released upon the expiration of 48 hours after the removal
34 from the highway or private property upon demand of
35 the owner. When determining the 48-hour period,
36 weekends, and holidays shall not be included.

37 (c) Notwithstanding subdivision (b), when a motor
38 vehicle to be inspected pursuant to subdivision (a) is a
39 commercial vehicle, any cargo within the vehicle may be
40 removed or transferred to another vehicle.

1 This section shall not be construed to authorize the
2 removal of any vehicle from an enclosed structure on
3 private property that is not open to the general public.

4 ~~SEC. 19.5~~

5 SEC. 22. Section 24953 of the Vehicle Code is
6 amended to read:

7 24953. (a) Any turn signal system used to give a
8 signal of intention to turn right or left shall project a
9 flashing white or amber light visible to the front and a
10 flashing red or amber light visible to the rear.

11 (b) Side-mounted turn signal lamps projecting a
12 flashing amber light to either side may be used to
13 supplement the front and rear turn signals. Side-mounted
14 turn signal lamps mounted to the rear of the center of the
15 vehicle may project a flashing red light no part of which
16 shall be visible from the front.

17 (c) In addition to any required turn signal lamps, any
18 vehicle may be equipped with supplemental rear turn
19 signal lamps mounted to the rear of the rearmost portion
20 of the driver's seat in its rearmost position.

21 (d) In addition to any required or authorized turn
22 signal lamps, any vehicle may be equipped with
23 supplemental rear turn signal lamps that are mounted on,
24 or are an integral portion of, the outside rearview mirrors,
25 so long as the lamps flash simultaneously with the rear
26 turn signal lamps, the light emitted from the lamps is
27 projected only to the rear of the vehicle and is not visible
28 to the driver under normal operating conditions, except
29 for a visual indicator designed to allow monitoring of
30 lamp operation, and the lamps do not project a glaring
31 light.

32 ~~SEC. 20.~~

33 SEC. 23. Section 25251 of the Vehicle Code is
34 amended to read:

35 25251. (a) Flashing lights are permitted on vehicles
36 as follows:

37 (1) To indicate an intention to turn or move to the
38 right or left upon a roadway, turn signal lamps and turn
39 signal exterior pilot indicator lamps and side lamps
40 permitted under Section 25106 may be flashed on the side

1 of a vehicle toward which the turn or movement is to be
2 made.

3 (2) When disabled or parked off the roadway but
4 within 10 feet of the roadway, or when approaching,
5 stopped at, or departing from, a railroad grade crossing,
6 turn signal lamps may be flashed as warning lights if the
7 front turn signal lamps at each side are being flashed
8 simultaneously and the rear turn signal lamps at each side
9 are being flashed simultaneously.

10 (3) To warn other motorists of accidents or hazards on
11 a roadway, turn signal lamps may be flashed as warning
12 lights while the vehicle is approaching, overtaking, or
13 passing the accident or hazard on the roadway if the front
14 turn signal lamps at each side are being flashed
15 simultaneously and the rear turn signal lamps at each side
16 are being flashed simultaneously.

17 (4) For use on authorized emergency vehicles.

18 (5) To warn other motorists of a funeral procession,
19 turn signal lamps may be flashed as warning lights on all
20 vehicles actually engaged in a funeral procession, if the
21 front turn signal lamps at each side are being flashed
22 simultaneously and the rear turn signal lamps at each side
23 are being flashed simultaneously.

24 (b) Turn signal lamps shall be flashed as warning lights
25 whenever a vehicle is disabled upon the roadway and the
26 vehicle is equipped with a device to automatically
27 activate the front turn signal lamps at each side to flash
28 simultaneously and the rear turn signal lamps at each side
29 to flash simultaneously, if the device and the turn signal
30 lamps were not rendered inoperative by the event which
31 caused the vehicle to be disabled.

32 (c) Side lamps permitted under Section 25106 and
33 used in conjunction with turn signal lamps may be flashed
34 with the turn signal lamps as part of the warning light
35 system, as provided in paragraphs (2) and (3) of
36 subdivision (a).

37 (d) Required or permitted lamps on a trailer or
38 semitrailer may flash when the trailer or semitrailer has
39 broken away from the towing vehicle and the connection
40 between the vehicles is broken.

(e) Hazard warning lights, as permitted by paragraphs (2) and (3) of subdivision (a) may be flashed in a repeating series of short and long flashes when the driver is in need of help.

~~SEC. 21.~~

SEC. 24. Section 25258 of the Vehicle Code is amended to read:

25258. (a) An authorized emergency vehicle operating under the conditions specified in Section 21055 may display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals.

(b) An authorized emergency vehicle used by a peace officer, as defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f), (g), or (i) of Section 830.2 of, subdivision (b) or (d) of Section 830.31 of, subdivision (a) or (b) of Section 830.32 of, Section 830.33 of, subdivision (a) of Section 830.36 of, subdivision (a) of Section 830.4 of, or Section 830.6 of, the Penal Code, in the performance of the peace officer's duties, may, in addition, display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle.

~~SEC. 21.5.~~

SEC. 25. Section 25259 of the Vehicle Code is amended to read:

25259. (a) Any authorized emergency vehicle may display flashing amber warning lights to the front, sides, or rear.

(b) A vehicle operated by a police or traffic officer while in the actual performance of his or her duties may display steady burning or flashing white lights to either side mounted above the roofline of the vehicle.

(c) Any authorized emergency vehicle may display not more than two flashing white warning lights to the front mounted above the roofline of the vehicle and not more than two flashing white warning lights to the front mounted below the roofline of the vehicle. These lamps may be in addition to the flashing headlamps permitted under Section 25252.5.

~~SEC. 21.7.~~

1 *SEC.* 26. Section 26101 of the Vehicle Code is
2 amended to read:

3 26101. No person shall sell or offer for sale for use upon
4 or as part of the equipment of a vehicle, nor shall any
5 person use upon a vehicle, any device that is intended to
6 modify the original design or performance of any lighting
7 equipment, safety glazing material, or other device,
8 unless the modifying device meets the provisions of
9 Section 26104. This section does not apply to a taillamp or
10 stop lamp in use on or prior to December 1, 1935, or to
11 lamps installed on authorized emergency vehicles.

12 ~~*SEC.* 22.~~

13 *SEC.* 27. Section 27000 of the Vehicle Code is
14 amended to read:

15 27000. (a) Every motor vehicle, when operated upon
16 a highway, shall be equipped with a horn in good working
17 order and capable of emitting sound audible under
18 normal conditions from a distance of not less than 200 feet,
19 but no horn shall emit an unreasonably loud or harsh
20 sound. An authorized emergency vehicle may be
21 equipped with, and use in conjunction with the siren on
22 that vehicle, an air horn which emits sounds that do not
23 comply with the requirements of this section.

24 (b) Every refuse or garbage truck purchased after
25 September 1, 1983, shall be equipped with an automatic
26 backup audible alarm which sounds on backing more
27 than 36 inches and which is capable of emitting sound
28 audible under normal conditions from a distance of not
29 less than 100 feet or shall be equipped with an automatic
30 backup device which is in good working order, located at
31 the rear of the vehicle and which immediately applies the
32 service brake of the vehicle on contact by the vehicle with
33 any obstruction to the rear. The backup device or alarm
34 shall also be capable of operating automatically when the
35 vehicle is in neutral or a forward gear but rolls backward.

36 (c) At the first scheduled overhaul for any refuse or
37 garbage truck, the operator shall consider equipping the
38 refuse or garbage truck not equipped in accordance with
39 the requirements of subdivision (b), with the alarm or
40 device required under subdivision (b).

1 ~~SEC. 23.~~

2 *SEC. 28.* Section 34001 of the Vehicle Code is
3 amended to read:

4 34001. The provisions of this division refer to vehicles
5 having a cargo tank and to hazardous waste transport
6 vehicles and containers, as defined in Section 25167.4 of
7 the Health and Safety Code, that are operating on
8 highways within this state.

9 ~~SEC. 24.~~

10 *SEC. 29.* Section 34060 of the Vehicle Code is
11 amended to read:

12 34060. The commissioner shall provide for the
13 establishment, operation, and enforcement of random
14 on- and off-highway inspections of cargo tanks and
15 hazardous waste transport vehicles and containers. The
16 commissioner shall also provide training in the inspection
17 of cargo tanks and hazardous waste transport vehicles and
18 containers to employees of the department whose
19 primary duties include the enforcement of laws and
20 regulations relating to commercial vehicles and who,
21 thereafter, are required to perform random inspections
22 of cargo tanks and hazardous waste transport vehicles and
23 containers to determine whether or not the cargo tanks
24 and hazardous waste transport vehicles and containers
25 are designed, constructed, and maintained in accordance
26 with the regulations adopted by the commissioner
27 pursuant to this code and Chapter 6.5 (commencing with
28 Section 25100) of Division 20 of the Health and Safety
29 Code.

30 ~~SEC. 25.~~

31 *SEC. 30.* Section 34500.5 is added to the Vehicle Code,
32 to read:

33 34500.5. For purposes of this division, the term
34 “commercial motor vehicle” has the same meaning as
35 defined in subdivision (b) of Section 15210.

36 ~~SEC. 26.~~

37 *SEC. 31.* Section 34622 of the Vehicle Code is
38 amended to read:

39 34622. This chapter does not apply to any of the
40 following:



1 (a) Vehicles that are exempt from vehicle registration
2 fees.

3 (b) The transportation of office, store, and institution
4 furniture and fixtures by a household good carrier, as
5 defined in Section 5109 of the Public Utilities Code.

6 ~~SEC. 27.~~

7 SEC. 32. Section 40000.16 of the Vehicle Code is
8 amended to read:

9 40000.16. A second or subsequent violation of Section
10 23114, relating to preventing the escape of materials from
11 vehicles, occurring within two years of a prior violation of
12 that section is a misdemeanor, and not an infraction.

13 ~~SEC. 28. No reimbursement is required by this act~~
14 ~~pursuant to Section 6 of Article XIII B of the California~~
15 ~~Constitution because the only costs that may be incurred~~
16 ~~by a local agency or school district will be incurred~~
17 ~~because this act creates a new crime or infraction,~~
18 ~~eliminates a crime or infraction, or changes the penalty~~
19 ~~for a crime or infraction, within the meaning of Section~~
20 ~~17556 of the Government Code, or changes the definition~~
21 ~~of a crime within the meaning of Section 6 of Article~~
22 ~~XIII B of the California Constitution.~~

23 ~~Notwithstanding Section 17580 of the Government~~
24 ~~Code, unless otherwise specified, the provisions of this act~~
25 ~~shall become operative on the same date that the act~~
26 ~~takes effect pursuant to the California Constitution.~~

27 ~~SEC. 29.~~

28 SEC. 33. Section 14 16.5 of this bill incorporates
29 amendments to Section 16028 of the Vehicle Code
30 proposed by both this bill and AB 651. It shall only become
31 operative if (1) both bills are enacted and become
32 effective on or before January 1, 1998, (2) each bill
33 amends Section 16028 of the Vehicle Code, and (3) this
34 bill is enacted after AB 651, in which case Section 13 16 of
35 this bill shall not become operative.